



August 13, 2021

VIA FACSIMILE (585-613-4085)

Honorable Marian W. Payson
United States Magistrate Judge
100 State Street
Rochester, New York 14614

Re: *Savage, et al. v. Sutherland Global Services, Inc., et al.*
Civil Action No. 6:19-cv-6840

Dear Judge Payson:

We represent defendant CVAGS, LLC d/b/a Clearview Group in the above-referenced case. The parties jointly write to request an extension of the current Scheduling Order entered in this case on December 8, 2020 (Dkt. 41).

As you are aware, since the Court entered the operative Scheduling Order, the parties have engaged deeply in settlement negotiations, including informal exchanges of documents and information, many phone conferences, and participation in two mediation sessions, one on February 26, 2021 and the other on June 30, 2021. During settlement negotiations, the parties requested the Court stay the case as to not incur additional costs and fees while the parties worked toward resolution. The Court granted these stays, on March 9, 2021 (Dkt. 48) and May 5, 2021 (Dkt. 50). The case was unable to settle and the stay was lifted on or about July 7, 2021.

Now the parties jointly write to request the Court extend certain deadlines in the scheduling order to accommodate the several month stay in the case.

The parties jointly request the Court amend paragraphs 5–8 of the current Scheduling Order (Dkt. 41), to read as follows:

5. All factual discovery in this case, including depositions, shall be completed on or before **February 18, 2022**. All motions to compel discovery shall be filed by no later than **January 14, 2022**.
6. Any certification-related motions shall be filed by no later than **April 8, 2022**.

Harter Secrest & Emery LLP
ATTORNEYS AND COUNSELORS

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7. Plaintiffs shall identify any expert witnesses pursuant to Fed. R. Civ. P. 26(a)(2)(A) and provide reports pursuant to Rule 26(a)(2)(B) and/or disclosures pursuant to Rule 26(a)(2)(C) by **June 14, 2022**. Defendants shall identify any expert witnesses and provide reports pursuant to Fed. R. Civ. P. 26 by **July 12, 2022**. Parties shall complete all discovery relating to experts, including depositions, by **August 19, 2022**.

8. Dispositive motions, if any, shall be filed no later than **October 28, 2022**. Unless a consent to proceed before this Court has been filed, such motions shall be made returnable before Judge Wolford.

The parties thank the Court for its consideration. If the proposed amendment meets with the Court's approval, please So Order this letter.

Respectfully,

Harter Secrest & Emery LLP



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cc: Counsel of Record (via email)

Request granted. In addition, the **telephone status conference** set to be held with the undersigned on 8/17/2021, at 11:20 a.m., is adjourned until **February 1, 2022, at 10:40 a.m.**, to discuss the status of the case and the possibility of settlement. **Dial-in instructions will be emailed to counsel prior to the conference.**

SO ORDERED

s/Marian W. Payson

Hon. Marian W. Payson
United States Magistrate Judge

Dated: August 13, 2021